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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,877	11/27/2002	Alan Cox	019322-435	5278

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EXAMINER

BASEHOAR, ADAM L

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,877

Applicant(s)

COX, ALAN

Examiner

Adam L Basehoar

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/27/02 01/21/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: The Application filed 11/27/02 as well as the two IDS filed 11/27/02 and 01/21/05.
2. Claims 1-16 are pending in the case. Claims 1, 5, 9, and 13 are independent claims.

Claim Objections

3. Claim 3 is objected to because of the following informalities: Claim 3 lacks proper syntax by omitting the word "used" after "can be." Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 3-4, 7-8, 11-12, and 15-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Regarding claim 3, 7, 11, and 15, the phrase "can be" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The examiner suggests the claims be amended to replace "can be" with "are."

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7. Regarding claim 4, 8, 12, and 16, the word "can" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The examiner suggests the claims be amended to delete the word "can."

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Thomas Chester & Richard Alden, "Excel 97", Fourth Edition, 1997, pp. 455, 491-500, 519-521, 523-527, and 569-572 (Hereafter Excel).

-In regard to independent claims 1, 5, 9, and 13, Excel teaches a system, method, and computer program product for applying spreadsheet and database operations to the cells of worksheets, comprising:

performing relational algebra operations (pp. 455: Table 17.1: "Contains", "Does not contain", etc; pp. 498-500: "Defining a Query") contained in the original worksheets (pp. 519: Fig. 20.1);

creating a temporary results table comprising the results of the performed relational algebra operations (pp. 524: Fig. 20.7);

creating a mapping table correlating the original worksheet cells with temporary results table (pp. 524: Fig. 20.7);

adjusting spreadsheet operations that refer to the original worksheet cells to refer to the temporary results table (pp. 526: “Changing the Layout by Dragging Field Buttons”);

creating a re-mapped worksheet containing the adjusted spreadsheet operations and the results of the relational algebra operations (pp. 527: Fig. 20.8); and

recalculating spreadsheet values that have been adjusted to create the new worksheet (pp. 525: “Refreshing a Pivot Table”).

-In regard to dependent claims 2, 6, 10, and 11, Excel teaches wherein a cell numbering scheme (pp. 523: “the pivot table is placed in the upper-left corner, starting at cell A1”; pp. 524: Fig. 20.7: see example numbering scheme) was applied to the new worksheet (pp. 523: Fig. 20.6: “New Worksheet”: “If you specify New Worksheet, a worksheet is added”).

-In regard to dependent claim 3, 7, 11, and 15, Excel teaches wherein universal resource identifiers (URI)(Defined as “the generic set of all names and addresses which are short strings which refer to objects” in the accompanying FOLDOC reference) are used to specify the location of the original worksheet (pp. 520-521: Fig. 20.2 & Fig. 20.3; pp. 491-497).

-In regard to dependent claim 4, 8, 12, and 16, Excel teaches wherein the relational algebra operations could simultaneously query the original worksheets and a separate database (i.e. separate workbooks)(pp. 569-572: “Using Multiple Consolidation Ranges).

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6,298,342	10-2001	Graefe et al.
US-6,738,770	05-2004	Gorman, John
US-2005/0060300	03-2005	Stolte et al.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam L Basehoar whose telephone number is (571)-272-4121. The examiner can normally be reached on M-F: 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steve Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ALB

STEPHEN HONG
SUPERVISORY PATENT EXAMINER